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By: **Senator Green**

Introduced and read first time: January 31, 2003

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Sexual Offense in the Fourth Degree - Causing a Person to Ingest**  
3 **Bodily Fluid**

4 FOR the purpose of expanding the crime of sexual offense in the fourth degree to  
5 include prohibiting a person from intentionally causing another to ingest bodily  
6 fluid without consent or by force or threat of force; defining a certain term; and  
7 generally relating to certain sexual offenses.

8 BY repealing and reenacting, with amendments,  
9 Article - Criminal Law  
10 Section 3-308  
11 Annotated Code of Maryland  
12 (2002 Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Criminal Law**

16 3-308.

17 (A) IN THIS SECTION, "BODILY FLUID" MEANS SEMINAL FLUID, BLOOD, URINE,  
18 OR FECES.

19 [(a)] (B) A person may not [engage in]:

20 (1) [sexual] ENGAGE IN SEXUAL contact with another without the  
21 consent of the other;

22 (2) except as provided in § 3-307(a)(4) of this subtitle, ENGAGE IN a  
23 sexual act with another if the victim is 14 or 15 years old, and the person performing  
24 the sexual act is at least 4 years older than the victim; or

25 (3) except as provided in § 3-307(a)(5) of this subtitle, ENGAGE IN  
26 vaginal intercourse with another if the victim is 14 or 15 years old, and the person  
27 performing the act is at least 4 years older than the victim.

1 (4) INTENTIONALLY CAUSE ANOTHER TO INGEST BODILY FLUID:

2 (I) WITHOUT CONSENT; OR

3 (II) BY FORCE OR THREAT OF FORCE.

4 [(b)] (C) A person who violates this section is guilty of the misdemeanor of  
5 sexual offense in the fourth degree and on conviction is subject to imprisonment not  
6 exceeding 1 year or a fine not exceeding \$1,000 or both.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2003.